

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-90/Z-07-23/Z-06-28

Date Filed: 8-08-07

AN ORDINANCE TO AMEND ORDINANCE 07-O-0628 (Z-07-23) ADOPTED BY CITY COUNCIL MAY 21, 2007 AND APPROVED BY THE MAYOR MAY 29, 2007 AND ORDINANCE 06-O-0690 (Z-06-28) ADOPTED BY THE CITY COUNCIL ON JUNE 5, 2006 AND APPROVED BY THE MAYOR ON JUNE 9, 2006 REZONING FROM R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT TO RG-2 C (RESIDENTIAL GENERAL- SECTOR 2-CONDITIONAL) DISTRICT FOR THE PURPOSE OF A SITE PLAN AMENDMENT FOR AND 1339 AND 1297 NORTHWEST DRIVE, N.W. AND 1315 NORTHWEST DRIVE, N.W.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1339 AND 1297 NORTHWEST DRIVE, N.W. AND 1315 NORTHWEST DRIVE, N.W..** be amended in accordance with a revised site plan, to wit:

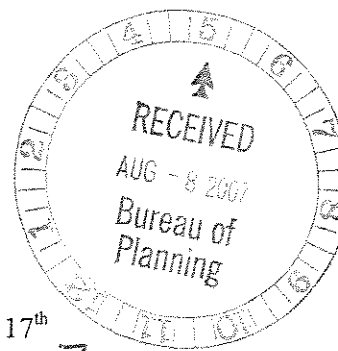
ALL THAT TRACT or parcel of land lying and being in Land Lot 258, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**LEGAL DESCRIPTION
OVERALL**



ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1127.00 to an iron pin found, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line the following courses and distances: North 44 degrees 31 minutes 48 seconds West a distance of 120.00 feet to a point; thence North 44 degrees 28 minutes 31 seconds West a distance of 126.56 feet to a point; thence North 42 degrees 26 minutes 17 seconds West a distance of 91.72 feet to a point; thence 111.36 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 32 degrees 17 minutes 34 seconds West 110.82 feet to a point; thence continuing along said right of way line 23.47 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 20 degrees 06 minutes 48 seconds West 26.46 feet to a point; thence North 17 degrees 35 minutes 16 seconds West a distance of 312.14 feet to a point; thence leaving said right of way line North 58 degrees 35 minutes 30 seconds East a distance of 280.31 feet to an iron pin found (1" Open Top Pipe); thence North 70 degrees 21 minutes 32 seconds West a distance of 84.96 feet to an iron pin found (1" Open Top Pipe); thence North 18 degrees 15 minutes 50 seconds East a distance of 148.08 feet to an iron pin found; thence North 61 degrees 05 minutes 29 seconds West a distance of 214.84 feet to a point; thence North 25 degrees 25 minutes 56 seconds East a distance of 420.06 feet to a point; thence North 70 degrees 22 minutes 11 seconds East a distance of 434.90 feet to an iron pin found (1" Open Top Pipe); thence South 83 degrees 59 minutes 30 seconds East a distance of 470.80 feet to an iron pin set; thence South 00 degrees 15 minutes 05 seconds East a distance of 247.30 feet to an iron pin found; thence South 00 degrees 46 minutes 54 seconds West a distance of 656.79 feet to a 2" open top pipe found; thence South 45 degrees 50 minutes 43 seconds West a distance of 115.86 feet to a 1" open top pipe found; thence South 45 degrees 44 minutes 06 seconds West a distance of 380.56 feet to a 2" crimp top pipe found; thence South 46 degrees 24 minutes 24 seconds West a distance of 439.38 feet to a iron pin found and the TRUE POINT OF BEGINNING.

Said tract containing 28.364 acres.